

SWAC C&D Subcommittee Meeting  
MassDEP – Bureau of Air & Waste  
March 21, 2017; 10:00 AM to 11:30 AM

**Meeting Minutes:**

Recorded by: Mike Elliott (MassDEP C&D program Coordinator)

NOTE: Copies of the presentation slides and handouts are available on the MassDEP C&D Subcommittee website which can be found at the following URL:

<http://www.mass.gov/eea/agencies/massdep/news/advisory-committees/cd-subcommittee.html>.

The following agenda items were covered during the meeting:

**1) Welcome/Introductions**

- a) MassDEP welcomed participants in the room and on the webinar.
  - i) Participants in conference room: ca. 27 (as recorded on meeting sign-in sheets)
  - ii) Participants on webinar: 15 (as recorded on webinar attendee report)
  - iii) Participants reflected a cross-section of stakeholders representing: C&D Processors; Waste Haulers; Recycling End-Market Outlets; Construction Project Managers, Consultants; Lawyers; Federal, State and Municipal Officials; Industry/Trade Associations

**2) C&D Materials Best Management Practice Guidance**

- a) Overview and discussion led by Emily Fabel, Center for EcoTechnology/RecyclingWorks in Massachusetts
  - i) Emily's complete presentation is available at the MassDEP website link listed above.
  - ii) Emily reported that the BMPs will be posted on the RecyclingWorks website by the end of March. ([www.recyclingworksma.com](http://www.recyclingworksma.com))
- b) Comments came up on the following topics:
  - i) A construction project manager suggested that the list of commonly encountered hazardous materials should include PCBs. MassDEP/RecyclingWorks agreed that this is a good suggestion and will modify the BMP Guidance to include information on EPA rules for managing PCB contamination commonly found in building materials.
  - ii) One commenter remarked that the low cost of out-of-state disposal and ADC reuse renders deconstruction economically untenable as an option. The commenter inquired if MassDEP would regulate or restrict shipping waste out-of-state. MassDEP responded that it would not restrict out-of-state disposal of materials that comply with MassDEP "Waste Ban" rules (310 CMR 19.017) as that could be construed as a violation of the interstate commerce clause. The waste ban rules stipulate that "no person shall dispose, transfer for disposal, or contract for disposal or transport of the restricted material..." MassDEP relies on waste transporters and transfer stations to comply with the waste ban rules. If MassDEP finds a person in violation of these requirements, they can be subject to enforcement including civil and administrative penalties.

**3) 2016 C&D Debris Market Study**

- a) Natalie Starr and Ted Siegler of DSM Environmental reported on the findings in the recently completed 2016 C&D Debris Market Study Report.
  - i) DSM's complete presentation is available at the MassDEP website link listed above.
  - ii) Now undergoing final edits, the report will be posted on the MassDEP website in early April.

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- iii) MassDEP reported that it will use the DSM report as one point of reference, among others, to inform policy going forward. In particular, MassDEP will use it to help develop the C&D Material Management Action Plan later this year as a part of the larger 2020 Solid Waste Master Plan development process
- iv) Several comments were addressed from the meeting participants:
  - (1) C&D Transfer Stations: Acknowledging that C&D Transfer Stations were originally conceived on the premise of recovering a portion of the recyclable materials from the incoming C&D waste stream and then transferring what remained to C&D Processors, MassDEP will consider how the industry has evolved with certain C&D Transfer Stations allowed, under their site-specific waste ban plans, to directly ship significant quantities of materials for disposal.
  - (2) Gypsum wallboard recycling: Chris Carney (Carney Environmental) stated that a new gypsum wallboard recycling facility will open for operation in Raynham on April 1.
  - (3) Particle Board Market: Bill Murdock (Tafisa) clarified that the tighter material acceptance spec with respect to fines has nothing to do with Tafisa's relationship with Kruger. The tighter spec on fines is directly related to the correlation between fines and lead (Pb) contamination. Tafisa must restrict the fines in order to minimize Pb contamination in their finished product.
  - (4) Source separation: Jennifer Griffith (NEWMOA) suggested C&D Processors collaborate to expand their business model to market themselves as collection points for source separated materials in addition to mixed C&D waste.
  - (5) Processing technology advancements: Ted Siegler opined that optical sorting technology would continue to improve and would likely overcome the challenge of distinguishing treated wood. He also highlighted that one of the advantages of optical technology is that it does not come in direct contact with waste, and therefore, is more operationally reliable.
  - (6) Asphalt shingle recycling: In response to a question about processing difficulties, Chris Carney (Carney Environmental) described that the recycled asphalt shingle process is designed to remove nails, metal framework and wood that occasionally shows up with shingles.

4) **Summary of CY2015 Annual C&D Report Data**

- a) MassDEP reported that the C&D facility annual report summary data for CY2015 has been posted on the MassDEP website. It can be found at the following URL:  
<http://www.mass.gov/eea/agencies/massdep/recycle/reduce/managing-construction-demolition-wastes.html>.
- b) A footnote was added to the bar chart to emphasize the method MassDEP uses to calculate C&D material recycling rates is different from the protocol required by USGBC to calculate waste management credits on LEED projects. The footnote cautions users to be mindful of these differences when using MassDEP data to calculate LEED credits.
  - i) In response to a question from a commenter, MassDEP reiterated that it has no intention to align its method for calculating the C&D Recycling rate with the method described in the LEEDv4 protocol for waste management credits. The two programs are separate and distinct, and while the MassDEP data will always be made available, LEED project managers will be responsible for applying the data appropriately for their LEED projects.

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- c) Concerning the trend chart that shows the C&D recycling rate plateauing around 25% to 30% since 2009, well below the 50% goal set out in the 2010 solid waste master plan (SWMP), MassDEP cannot be satisfied with this level of performance and will continue to encourage improvement. MassDEP will try to promote all options across a wide spectrum of material management opportunities. Example of this include: outreach through the C&D BMP guidance that will be available through RecyclingWorks; financial incentives in the form of target materials/processes under the Recycling Loan Fund and the Recycling Business Development Grants; regulatory enforcement of waste ban management plans; etc..

**5) Announcements/Open Discussion**

- a) Bill Turley, Executive Director of CDRA, updated the group on three topics of interest:
  - i) Updated C&D White Paper: CDRA has updated a C&D white paper that is available upon request and that shows a 70% recycling rate already being achieved nation-wide.
  - ii) Role of C&D Biomass in Zero Waste Programs: CDRA contends that the product produced by C&D processors, who follow best management practices, is far superior to many other materials that serve as feedstock for biomass boilers.
  - iii) LEED Recycling Credits: CDRA will be participating next week in an invitation-only meeting with USGBC to discuss LEEDv4 protocol that limits biomass facilities for which waste management credits can be claimed to only those facilities that meet certain EU standards for efficiency and pollution control. USGBC claims the standards are needed for global consistency. CDRA will discuss the challenge that poses for US C&D processors.
- b) MassDEP announced that, later this year, it will start work on developing the 2020 Solid Waste Master Plan. One important piece of that plan will be the C&D Material Management Action Plan.

**6) Closing/Next Steps**

- a) Potential topics for next C&D Subcommittee Meeting:
  - i) C&D Material Management Action Plan Development

**7) Next meeting**

- a) TBD but in about 3 months time (ca. June 2017)